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10 UNITED STATES BANKRUPTCY COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13 In re } Case No. 10-62743-B-13
14 MARK A. CARBALLO AND } Chapter 13
15 CARMEN REBECCA CARBALLO, } D. C. No. HDN-5
16 Debtor(s). } Date: March 24, 2011
17 } Time: 1:30 p.m.
18 } Place: United States Bankruptcy Court
19 } 2500 Tulare Street, Fifth Floor
20 } Courtroom 12; Dept. B
21 } Fresno, California 93721
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MOTION FOR CONFIRMATION OF CHAPTER 13 PLAN

20 TO: THE HONORABLE UNITED STATES BANKRUPTCY JUDGE, W.
21
22 RICHARD LEE:

23
24 The debtor hereby respectfully moves for entry of an order confirming their Chapter 13
25 Plan which is filed concurrently with this motion. In support of this motion, debtor alleges the
26 following:

27 1. This Case commenced on November 1, 2010 by the filing of a voluntary petition
28 for relief under Chapter 13 of Title 11 of the United States Code.

MOTION FOR CONFIRMATION OF CHAPTER 13 PLAN

1 + 2. The debtor has proposed a Chapter 13 Plan, which was filed on November 1,
2 2010.

3 3. The debtor respectfully represents that their Chapter 13 Plan should be confirmed
4 because:

5 a. The first amended plan complies with the applicable provisions of Chapter 13
6 within the meaning of 11 U.S.C. § 1325(a)(1);

7 b. There are no fees, charges, or amounts required under Chapter 13 of Title 28
8 to be paid;

9 c. The debtor has proposed the first amended plan in good faith and not by any
10 means forbidden by law within the meaning of 11 U.S.C. §1325 (a)(3);

11 d. The value that will be distributed to creditors under the first amended plan
12 equals or exceeds what they would receive in a Chapter 7 proceeding; and

13 e. Each holder of an allowed secured claim will retain its lien under the Chapter
14 13 Plan and the plan proposes to pay each such holder value, as of the effective date of
15 the plan, equal to the value of the creditor's collateral.

16
17 WHEREFORE debtor prays this Court grant debtors' Motion to file her Chapter 13 Plan
18 pursuant to the foregoing and for such other and further relief this Court deems proper and just.

19 Date: January 31, 2011

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21
22 /s/-Henry D. Nuñez

23 Henry D. Nuñez